

PLANNING COMMISSION
AUGUST 9, 2005 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular Members Present: Roper, Steinfeld, and Munn
Alternate Members Present: Kane
Staff Present: Discordia, Glemboski, Goodrich, and Murphy

Acting Chairman Steinfeld opened with roll call at 7:02 p.m.

Acting Chairman Steinfeld appointed Kane to sit for Pritchard.

II. PUBLIC HEARINGS

Acting Chairman Steinfeld opened the public hearings at 7:45 p.m.

Acting Chairman Steinfeld read an opening statement describing the public hearing procedures and guidelines.

1. O & C Subdivision, 120 Godfrey Road (4 lots) - continuation

Gary Winalski, a professional engineer represented the owner, Henry O'Reily. Mr. Winalski stated they have received approval from the Inland Wetlands Agency and approval for public water installation. He reviewed the change in the location of the septic system on Lot 3 that was required to be north of contour 138 by the Inland Wetlands Agency.

Staff reviewed the issues. All utilities will be placed underground. There are no sidewalks proposed or recommended. All lots will share one driveway but each will have individual accessways. The project is in the sewer avoidance area and all lots will have septic systems.

Staff reviewed the outstanding issues dealing with open space. The applicant did not propose any open space or designate a conservation easement across the rear of Lots 2 & 3. Staff read a letter from Groton Utilities that recommends a 250-foot buffer on both sides of Haley Brook be set aside as dedicated open space to protect the water supply system. Staff recommended the following compromise; the area from the wetlands flags to the southern boundary line should be set aside as open space and offered to Groton Utilities and the area between the area marked as the buffer area on the plans and the wetlands flags should be protected by a conservation easement.

Kane asked if LedgeLight had approved the new location for the sewer system on Lot 3 and staff stated they have and read the comments from LedgeLight Health District into the record.

Roper asked if there was any value to placing all of the conservation easement area into open space under single ownership. Staff stated that their recommendation represented a balance between reducing the size of the lots and protecting Haley Brook and was guided by the Subdivision Regulations pertaining to open space.

Acting Chairman Steinfeld asked for public comments and there were none.

MOTION: To close the public hearing for O & C Subdivision, 120 Godfrey Road (4 lots).

Motion made by Acting Chairman Steinfeld, seconded by Munn, so voted unanimously.

Mr. Winalski asked how long it would take the Commission to act on the application. Staff responded that the Commission has 35 days.

2. Hickey Subdivision, 287 Briar Hill Road (5 lots)

Michael Scanlon, DiCesare-Bentley Engineers, 100 Fort Hill Road presented for the applicant. Mr. Scanlon presented revised plans and stated that they redesigned lots 1, 2, and 3, to allow for more flexible buildable envelopes. Lot 2 is now a frontage lot.

Staff handed out additional letters received from the public pertaining to this subdivision. There are a total of 5 letters to the Commission regarding this subdivision. Staff stated that approvals have been received from Groton Utilities, the Town Engineer and LedgeLight Health district.

Staff stated that lots 1, 2 and 3 have been redesigned, but lots 4 and 5 remain the same. The applicant is extending the water line to all the lots using a 12" water main. They are widening the road in front of the proposed lots. Staff stated that the applicant is showing a 4-foot concrete sidewalk along one side of the road on the plans, but they have submitted a waiver request to not install frontage sidewalks. They are not providing any open space.

Staff addressed the comments and correspondence from residents. Staff spoke with the school facilities manager regarding the bottlenecking of traffic during drop-off and pick-up times. The manager stated they are aware of the problems and would like to address them, but the school is not on the priority list for any site renovations this year.

Staff read an email from the Town Engineer. He stated that there are no plans to widen Briar Hill Road at this time. He also stated that Charles Barnum School is listed in the Capital Improvement Project (CIP) for parking lot improvements in the future. The Engineer did ask that any development along this road be required to widen the road to a minimum of 24 feet in front of the development.

Mr. Scanlon stated that one of the issues raised by the public was the picking up of students at the Charles Barnum School. This situation was a problem before this application was ever submitted. Mr. Scanlon stated there would be no obstruction of traffic except for the initial cut into the road for the new water line. They will be maintaining vehicular access at all times.

Mr. Scanlon responded to Christopher Letz's question regarding deeds. He stated Mr. Letz's referenced deeds are for property across the road, therefore these deeds have no bearing on this application.

Mr. Scanlon stated they have submitted waivers for sidewalks in this area. Public Works is not requesting a sidewalk. The applicant has offered to install a bituminous path instead, but would need design relief for lot 4 due to its proximity to the road.

Mr. Scanlon stated they are requesting no open space be required, as it would serve little function.

Mr. Scanlon stated the applicant is willing to relocate all stone walls on the property as necessary and mailboxes that are in the right-of-way and would be effected by the road widening.

Roper asked if school buses come up this road to pick-up children. Mr. Scanlon stated that their general policy is to not bring buses up dead end or cul-de-sac roads unless they are for special needs children. Roper asked if the construction was being phased. Mr. Hickey stated he is building the houses one at a time. Roper supports a walkway instead of a sidewalk, but would like it extended past the subject subdivision.

Kane asked why lot 5 is only a two-bedroom home and Mr. Scanlon stated that the buildable area for the property would not support a larger septic system. Kane asked what the zoning requirements were and staff stated it is RU-20 zone, a 20,000 sq. ft. building lot is required.

Munn inquired about street lighting. Mr. Scanlon stated that there is existing street lighting on every other pole.

Acting Chairman Steinfeld asked if the house on lot 4 was demolished would the lot accommodate a new house within the regulations. Mr. Scanlon stated it would.

Acting Chairman Steinfeld asked for public comments.

Christopher Letz, Briar Hill Road, asked about the comments from the Fire Marshal. Staff stated that they were read into the record at the first hearing, but the staff read it again. Mr. Letz stated that the road is only 16 feet wide and safety is a concern. Mr. Letz asked where the trucks and trailers would turn around before the new driveways are built. He stated that most of the homes have wells and they may not want to hook into this new water main. Mr. Letz was concerned about the private wells for the existing homes, as they will have to blast to put the water main in.

Carol Lee Case, 352 Briar Hill Road, suggested that the trucks that use Briar Hill Road during construction should be limited to times during off school hours. Ms. Case stated that lots 4 and 5 would be difficult, as there will be blasting required. Ms. Case stated that lots 4 and 5 should be eliminated.

Bob Fountaine, Briar Hill Road, is concerned with the increase in traffic. He states that this is a safety issue with children walking to school. Mr. Fountaine stated that a sidewalk in front of the new development would be useless. He suggested that a sidewalk from the crest of the hill down to the school would be more useful.

Beverly Letz, 336 Briar Hill Road, wanted to know if the Commission had received copies of her letter and they stated they had.

Mr. Scanlon stated that we did have comments from the Fire Marshall. The driveways that are proposed are consistent with those constructed throughout the Town of Groton. Mr. Scanlon stated there is a note on the plan that requires the road be kept open to traffic.

Roper asked if the applicant could work around the drop-off and pick-up times at the school as far as construction. Mr. Scanlon stated they haven't discussed it, but would be willing to discuss it. Roper asked about the timing of the school parking lot renovation as proposed in the CIP.

Staff stated that the Charles Barnum School is targeted for a wooden playscape this year. Staff stated that they couldn't say when the school's parking lot would be done. It is in the CIP as a future capital project.

Christopher Letz asked what are the regulations for new roads in subdivisions. Staff responded they are 20 to 26 feet or wider. Mr. Letz asked that the road be made safe.

General discussion followed on the responsibility for ensuring safe and adequate road construction.

Staff stated that the Commission could only act on this subdivision according to the subdivision regulations. Staff stated that since the year 2000 there have been 10 more houses constructed on Briar Hill Road, most of them were the result of free-splits.

MOTION: To close the public hearing for Hickey Subdivision, 287 Briar Hill Road (5 lots)

Motion made by Acting Chairman Steinfeld, seconded by Roper, so voted unanimously.

Roper informed the public that they might want to bring the public safety concerns regarding widening Briar Hill Road before the Town Council or Traffic Commission, as the Planning Commission cannot rule on these issues.

3. Subdivision Regulation Amendments to Section 4.9, (Town of Groton, Applicant)

Acting Chairman Steinfeld read the public hearing notice.

Staff reviewed the intent of the amendments to the subdivision regulations.

Staff stated that the amendment follows the state statutes. The amendment will expand the Town's options with regard to open space. We can request land, or a fee instead of land, or both. The proposed regulations also allow us to take remote land instead of or in addition to on-site land.

Staff stated that this amendment will now require the set aside of open space or a fee. The regulation is no longer permissive.

Roper stated he strongly supported this and thanked staff for researching and pushing this through.

Acting Chairman Steinfeld asked who determined how the fees would be spent. Staff explained the process would require an ordinance and approval of the Council and RTM. The Planning Commission would review any purchase of land under CGS8-24. Kane encouraged the Town to act quickly on this.

MOTION: To close the public hearing for Subdivision Regulation Amendments to Section 4.9

Motion made by Acting Chairman Steinfeld, seconded by Roper, so voted unanimously.

III. APPROVAL OF MINUTES of July 12, 2005

MOTION: To approve the minutes of the July 12, 2005, Planning Commission meeting with the following modifications:

1. Page 1, under PUBLIC HEARINGS, next to last paragraph; replace "loose" with "lose".
2. Page 2, under PUBLIC HEARINGS, 5th paragraph from the bottom of page, last sentence, replace "comply" with "complied".

3. Page 5, under PUBLIC HEARINGS, 4th paragraph from the bottom of page, replace “it” with “them”.
4. Page 8, 2., change “Mann” and “Main” to “May” in 1st 4 paragraphs.

Motion made by Roper, seconded by Munn, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Staff stated that there is a letter they would like to add to the agenda as item 1 under PUBLIC COMMUNICATIONS.

MOTION: To add the letter from the Office of Policy and Management to the agenda

Motion made by Roper, seconded by Kane, so voted unanimously.

Staff stated that this is the Colonel Ledyard Estates site located between Colonel Ledyard Highway and the Deerfield Subdivision. The applicant would like to apply for an open space subdivision, however this parcel is in a sewer avoidance area. He claims it isn't economical to construct a subdivision and a road if sewers can not be brought into this area. Staff stated that the Commission needs to decide whether to recommend that the Office of Policy and Management (OPM) hold a hearing regarding changing the existing rural designation to “Growth”. Staff asked the Commission if they would like to make a recommendation to the Mayor or OPM to hold a hearing on this matter.

MOTION: The Planning Commission recommends that a joint public hearing be held by the Office of Policy and Management and that the Planning Commission reserves the right to comment at the public hearing.

Motion made by Acting Chairman Steinfeld, seconded by Munn, so voted unanimously.

Roper asked that this be added to the next agenda for discussion.

V. SUBDIVISIONS

1. O & C Subdivision, 120 Godfrey Road (4 lots)

MOTION: To table O & C Subdivision, 120 Godfrey Road (4 lots) until the next regularly scheduled meeting.

Motion made by Acting Chairman Steinfeld, seconded by Munn, so voted unanimously.

2. Hickey Subdivision, 287 Briar Hill Road (5 lots)

MOTION: To table Hickey Subdivision, 287 Briar Hill Road (5 lots) until the next regularly scheduled meeting.

Motion made by Roper, seconded by Kane, so voted unanimously.

3. Subdivision Regulation Amendments to Section 4.9, (Town of Groton, applicant)

MOTION: To adopt the proposed amendments to Section 4.9 Parks, Playgrounds, and Public Area Reservation of the Subdivision Regulations to authorize payment of fees-in-lieu of the reservation of parks, playgrounds and public area reservation as authorized by Connecticut General Statutes Chapter 126 Section 8-25.

Said amendment to take effect November 1, 2005.

The Commission finds that, as amended, the regulation for Parks, Playground, and Public Area Reservations is consistent with the recommendations of the 2002 Plan of Conservation and Development and supports the efforts of the Town Council to preserve open space by establishing an open space acquisition fund.

Motion made by Roper, seconded by Kane, so voted unanimously.

4. Leonard Drive Subdivision, Tower Avenue (14 industrial lots)

MOTION: To grant a final 90-day extension for recording the plans for the Leonard Drive Subdivision, Tower Avenue (14 industrial lots).

Motion made by Acting Chairman Steinfeld, seconded by Munn, 3 in favor, 1 opposed (Roper).

5. Great Brook Resubdivision, Gales Ferry/Daboll Road (51 lots)

MOTION: To grant a 90-day extension for recording the plans for the Great Brook Resubdivision, Gales Ferry/Daboll Road (51 lots).

Motion made by Roper, seconded by Munn, so voted unanimously.

6. Lamphere Estates, Lamphere Road (6 lots)

MOTION: To grant a 90-day extension for recording the plans for Lamphere Estates, Lamphere Road.

Motion made by Roper, seconded by Kane, so voted unanimously.

7. Way Subdivision, 441 Pequot Avenue (8 lots)

MOTION: To table items 7 and 8 for Way Subdivision until the next regularly scheduled meeting on September 13, 2005.

Motion made by Roper, seconded by Munn, so voted unanimously.

8. Way Subdivision, 441 Pequot Avenue (8 lots)

(See 7.)

VI. SITE PLANS

1. Groton Multi-Family (Ledges East), 375 Drozdyk Drive

Jim Psacki, Groton Community and Groton Multifamily presented the project to the Commission. Mr. Psacki stated that this is a 213-unit apartment building and that they have received their Inland Wetlands Agency approval. Mr. Psacki handed out a summary packet to the Commission.

Staff stated that the applicant received Wetlands approval. The Inland Wetlands Agency required less fill in the recreation areas. All staff and inland wetland comments have been reflected on the revised plans. Staff noted that trash storage is inside the buildings. This plan was approved by LedgeLight Health District.

Roper asked if they were addressing recyclables as well and Mr. Psacki stated yes.

Roper asked whether off-site sidewalks along Drozdyk Drive are proposed. Staff stated no.

Acting Chairman Steinfeld asked about the underground garages in relation to the water table. The engineer for the applicant stated that only one section of the garage is below the water table, the rest of the parking garages would be above the water table.

Roper asked if all drainage would be retained on site. The engineer responded it would.

MOTION: To approve a waiver of Section 6.7-6 of the Zoning Regulations to allow the building foot print for Buildings 2 and 3 of Groton Multifamily, LLC, 375 Drozdyk Drive to exceed the bounds of an imaginary circle with a radius of 110 feet for the following reasons:

1. The building design of Buildings 2 and 3 provide numerous breaks in the façade, and does not result in an adverse affect on the aesthetic quality of the development.
2. The building design and layout concentrates residential buildings on the west side of the wetland thus decreasing the developments environmental impact.
3. The concentration of the buildings increases the useable open space on site.

The Commission finds that this meets Section 6.7-6 L of the Zoning

Motion made by Acting Chairman Steinfeld, seconded by Roper, so voted unanimously.

MOTION: To approve Groton Multifamily, LLC, 375 Drozdyk Drive with the following modifications:

1. The words "prior to recording the plans in land records" are added to Note #2 under Combined Parcel Notes.
2. A note indicating that a lot line adjustment is to be made with the adjoining Ledges property to assure that each property could meet the density requirement standing alone in the future should be include on the plan. The line adjustment should also be reflected on all the layout pages. Lot line adjustment shall occur prior to the recording of the plans in the Land Records.
3. Prior to the issuance of a Certificate of Occupancy for Building 3, a binder course from Rock Hill Road to the connection with Carriage Park property must be laid, and any necessary grading, curb cuts, ramps and cross walks associated with that connection shall be completed. Groton Multifamily LLC or its successor should coordinate with owners of Carriage Park to complete this connection.
4. Technical Items raised by staff shall be addressed.

Motion made by Acting Chairman Steinfeld, seconded by Munn.

Roper moved to amend the motion and add as modification 4. "Infill sidewalks a maximum of 200 feet along Drozdyk Drive shall be included on the plans".

Munn seconded the motion to amend.

Motion as amended carried, 3 in favor, 1 opposed (Steinford).

2. Watrous, 212 ½ Fort Hill Road – Action Required

Mr. Watrous presented his revised plans to the Commission. Staff stated that they discussed the intended use with the zoning official. The Zoning Official stated that storage only is allowed and the zoning regulations do not allow work to be done in the building.

Staff reviewed the relocated driveway and revisions to the landscaping plan to provide additional screening. The utilities will be underground.

Acting Chairman Steinford asked if the doors would be overhead. Mr. Watrous stated they would.

MOTION: To approve a site plan for Watrous Storage Shed, 212 ½ Fort Hill Road (Route 1), with the following modifications:

1. Modify driveway design as shown on Exhibit 1 received August 9, 2005.
2. Additional evergreen trees (minimum 6-feet in height at intervals of 10-feet on center) shall be planted within the cleared buffer areas along the south and east property line.
3. Show utilities to be placed underground on the site plan.
4. All technical items by staff shall be addressed.

The Planning Commission notes that this approval constitutes a reduction of the requirements of Section 7.4-4 of the Zoning Regulations for a 25-foot buffer to 5 feet along the east property line for a conditional use in or abutting a residential district.

Motion made by Roper, seconded by Kane, so voted unanimously.

3. Highway Garage Water Main and Parking Lot Improvements, Groton Long Point Road.

The Commission agreed to table the Highway Garage Water Main & Parking Lot Improvements until the next regularly scheduled meeting on September 13, 2005.

VII. OLD BUSINESS

1. Review of procedure for seating alternates.

No report.

2. Referral from Zoning Commission for August 3, 2005 Public Hearing

Staff reviewed the issues raised during the Zoning Commission's public hearing on the amendment to the Zoning Regulations pertaining to wall signs. Staff stated that the Zoning Commission continued the public hearing. The staff presented the Commission with graphics of how the amended regulations would impact existing large commercial buildings. The proposal is to increase the number of wall signs to 8, 2 primary or larger signs, and 6 secondary or smaller signs.

The Commission discussed the appearance of the additional signs. General discussion followed on the value of smaller signs.

Roper stated he is not in support of the increased number of signs.

Acting Chairman Steinfeld agreed with Commissioner Roper and stated two big signs were enough and he would like to eliminate the secondary signs. The Commission supports increasing the number of wall signs to two signs no more than 200 square feet each or one wall sign at a maximum of 400 square feet and asked that their comments be forwarded to the Zoning Commission.

VIII. NEW BUSINESS

1. Report of Commission – None

2. Referral from Town of Stonington for August 16, 2005 Public Hearing

The Commission had no comment.

3. Referral from Town of Stonington for September 6, 2005 Public Hearing

The Commission had no comment.

4. Referral from Town of Ledyard for September 1, 2005 Public Hearing

The Commission reviewed the staff comments and directed staff to send a letter outlining staff comments pertaining to the Founders Preserve Subdivision.

5. Town Council Referral under CGS 8-24 Regarding Acquisition of the Noank Hatchery and Leasing of the Property.

MOTION: That the Planning Commission of the Town of Groton approves the following proposal pursuant to Section 8-24 of the Connecticut General Statutes: Acquisition of the Noank Hatchery from the State of Connecticut by a gift conveyance and lease of the Noank Hatchery to the Noank Shellfish Cooperative.

Motion made by Acting Chairman Steinfeld, seconded by Roper, so voted unanimously.

6. Town Council Referral under CGS 8-24 Regarding Acceptance of Potential Donation of Poirier Property, Island Avenue, City of Groton.

MOTION: That the Planning Commission of the Town of Groton approves the following proposal pursuant to Section 8-24 of the Connecticut General Statutes: Acceptance by the Town of Groton of a parcel of land located on Island Avenue consisting of 0.214 acres, now or formerly owned by Poirier identified by PIN# 168707691111, lying adjacent to the Town of Groton's Shennecossett Golf Course as said parcel serves to increase the

buffer to existing houses and increases the public holdings in a built out area.

Motion made by Munn, seconded by Roper, so voted unanimously.

7. ZBA Referrals for August 10 & August 24, 2005 Public Hearings

ZBA 05-19 – 208 Deerfield Ridge Road

The Planning Commission had no comment.

ZBA 05-20 – 104 Irving Street

The Planning Commission had no comment.

ZBA 05- Lighthouse Square

The Planning Commission had no comment.

ZBA 05 – Pequot Medical Center

The Planning Commission had no comment.

IX. REPORT OF CHAIRMAN - None

X. REPORT OF STAFF - None

XI. ADJOURNMENT

Motion to adjourn at 11:40 p.m. made by Roper, seconded by Kane, so voted unanimously.

Respectfully submitted,

Peter Roper